



## *Action Agenda*

Board of Commissioners  
June 23, 2011  
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Thursday, June 23, 2011, at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

**Commissioners Present:**

Herb Frady, Chairman  
Robert Horgan, Vice Chairman  
Steve Brown  
Lee Hearn  
Allen McCarty

**Staff Present:**

Jack Krakeel, County Administrator  
Scott Bennett, County Attorney  
Carol Chandler, Executive Assistant  
Karen Morley, Chief Deputy Clerk

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Chairman Frady called the meeting to order.  
Commissioner Hearn offered the Invocation  
Pledge of Allegiance.

**ACCEPTANCE OF AGENDA:** Chairman Frady suggested moving Old Business item #11 to the beginning of the Agenda to be heard first. Commissioner Horgan made a motion to amend the agenda to move Old Business item #11 to be the first item on the agenda. Commissioner Hearn seconded the motion. The motion carried 5-0. Commissioner Brown made a motion to table the Public Hearing for the FY2012 budget until the first regularly scheduled meeting in July. Commissioner McCarty seconded the motion. The motion failed 2-3 with Chairman Frady, Commissioner Hearn and Commissioner Horgan voting in opposition. Chairman Frady made a motion to accept the Agenda as amended. Commissioner McCarty seconded the motion. The motion carried 5-0.

**OLD BUSINESS:**

11. Consideration of Commissioner Brown's request related to reassessing Transportation SPLOST projects in a difficult budgeting environment when governmental expenses are climbing and revenues continue to drop.

Commissioner Brown presented this item for discussion.

Commissioner Brown made a motion that the Board of Commissioners, on behalf of the taxpayers of Fayette County, commit to use of House Bill 240 allowing the voting taxpayers themselves to decide whether to rescue our current and future budget positions and/or create tax breaks without having to raise taxes by using Transportation Special Purpose Local Option Sales Tax funds, under the following conditions: (1) in the spirit of compromise, that the funding be appropriated to purchase the land for the West Fayetteville Bypass so the

road can be constructed in the future if it is ever warranted; (2) County Staff compile a list of infrastructure, maintenance, equipment and/or millage rollback requirements paired to the SPLOST funding for approval of the Board of Commissioners; (3) The Board of Commissioners shall vote on the alternative budget along with the submission of a resolution for a House Bill 240 referendum, to take place at the next permitted opportunity allowed by law, at the next budget hearing; (4) Until such time as the referendum occurs, in the spirit of compromise, the current proposed FY2012 stands as the approved budget, only to be replaced if the referendum passes. Commissioner McCarty seconded the motion. The motion failed 2-3 with Chairman Frady, Commissioner Hearn and Commissioner Horgan voting in opposition to the motion.

**PUBLIC HEARING:**

1. Public Hearing on the County's proposed annual budget for the fiscal year beginning July 1, 2011 and ending June 30, 2012, and consideration of Resolution No. 2011-10 adopting FY2012 budget.

Chief Financial Officer Mary Holland reviewed the FY2012 budget with the Board. She updated the Board on a change that was made regarding the Board of Equalization and Superior Court Clerk Sheila Studdard's request in the amount of \$22,630 for additional part time hours for staff to assist in processing the number of appeals that have been received this year. There was a consensus by the Board to approve this request. Ms. Holland remarked that the \$22,630 was included in the budget figure that the Board would be considering for approval tonight. There was a brief discussion by the Board on the budget as well as public comment.

Commissioner Brown made a motion that the Board not approve the annual budget for the fiscal year beginning July 1, 2011 and ending June 30, 2012 and that the Board not consider approving Resolution No. 2011-10 adopting FY2012 budget on the basis that it is unsustainable, there was not enough revenue to cover the expenses and it will cause future financial crisis. Commissioner McCarty seconded the motion. The motion failed 2-3 with Chairman Frady, Commissioner Hearn and Commissioner Horgan voting in opposition.

Commissioner Horgan made a motion to approve Resolution No. 2011-10 adopting the FY2012 budget. Commissioner Hearn seconded the motion. The motion carried 3-2 with Commissioner Brown and Commissioner McCarty voting in opposition.

**PUBLIC COMMENT:**

**David Hall:** David Hall apologized to the Board for his actions at the last Commission meeting held on June 9<sup>th</sup>. He said he had let his emotions take over and it was wrong. He asked for forgiveness from everyone in attendance and said he would continue to do all he could as a citizen and taxpayer to sustain the Constitution and defend it within the law.

**Victor Remeneski:** Victor Remeneski remarked that the citizens elect politicians and trust them to take care of their best interests and do the right thing. He said this meant doing what the majority of citizens want their elected officials to address and how they want them to vote on certain issues. He said the majority of the citizens wanted construction on the West Fayetteville Bypass stopped and the public outcry had been ignored. He said now there was HB 240 that would allow the citizens to vote on how they would like the SPLOST monies used. He said if this Board did not allow the citizens to vote on this issue, he felt there must be an overriding reason why political positions would be put at stake to keep the citizens from voting. He said this Board was not listening to citizens and these citizens will speak during the next election process.

**Harold Bost:** Harold Bost remarked that three of the five Commissioners were determined to sell out the citizens of Fayette County down the river any way that they could. He said this Board was disregarding every word spoken by the citizens. He remarked that the theme for the 2012 election was "Clean the Shelves in 2012." He said the citizens have no alternative but to replace these Commissioners next year. He said the magic number is 556.

**Nancy Truluck:** Nancy Truluck remarked that the three Commissioners on the Board who wanted the West Fayetteville Bypass should pay for it. She said she lives on a fixed income and she has had to cut back on her expenses. She said she did not have the money to pay for this budget. She said the citizens of the County do not have the money to pay for something that was not needed. She said until this County and this Country lives within the budget, the citizens are headed downhill.

**Paul Parchert:** Paul Parchert remarked on the West Fayetteville Bypass. He noted that the Bypass would flow into Highway 92 at the intersection of Westbridge Road. He noted that Highway 92 was already congested, and now with the opening of the Bypass there would be additional vehicles from Peachtree City. He said with the light at this intersection and the additional traffic, this would only create a huge traffic jam at the intersection of Highway 92 and the Bypass. He said he did not understand the need for the Bypass and felt the traffic engineers who performed this study should be fired. He said it was obvious what would occur at this intersection and he felt the Board realized this too. He felt it was corruption.

**Tom Waller:** Tom Waller commented on the West Fayetteville Bypass and in his search for references providing the justification for putting the West Fayetteville Bypass in, there was nothing in those references supported the Bypass. He remarked that it was a road to nowhere. He commented on the pile of red dirt and the multi million dollar heavy vehicles parked at the empty school looking down the proposed right-of-way. He said he felt the Board was intimidating the public that the West Fayetteville Bypass was going to be put in no matter what and if anyone gets in the way, they would be blown away.

**Bob Ross:** Bob Ross commented on the committee appointments that are listed on tonight's agenda. He questioned if there was a process within the County for fulfilling these committee positions and he felt it would be very useful to the public to have a process whereby the Commissioners could present names with bios and qualifications and have these posted on the County website.

**CONSENT AGENDA:** Commissioner Brown requested consent agenda item #5 be removed for discussion. Commissioner Horgan made a motion to approve the consent agenda items 2-10 with the exception of item #5 as presented. Commissioner McCarty seconded the motion. The motion carried 5-0.

2. Approval of the Sheriff's Office request to amend the FY 2011 Overtime Budget for the Criminal Investigations Division by \$2,325.21 for reimbursement for employees assigned to work with various Federal Agencies.
3. Approval of the Sheriff's Office request to amend the FY 2011 Gasoline Vendor Budget Account for the Criminal Investigations Division by \$1,387.20 to recognize a reimbursement received from the U.S. Marshals Service for gasoline expenditures incurred for the vehicle which was purchased for Fayette County by the Marshals Service.
4. Approval of the Sheriff's Office request to amend the FY 2011 Vehicle Repair Services Budget Account for the Criminal Investigations Division by \$19.08 to recognize a reimbursement received from the U.S. Marshals Service for expenses incurred for the maintenance of the vehicle which was purchased for Fayette County by the Marshals Service.

5. Approval of staff's recommendation to accept the bid from Public Risk Underwriters to provide property and casualty insurance for Fiscal Year 2012, and for the Chairman to execute any subsequent related contracts and documents upon review of the County Attorney.

**After a brief discussion, Commissioner Brown made a motion to approve staff's recommendation to accept the bid from Public Risk Underwriters to provide property and casualty insurance for Fiscal Year 2012; authorization for the Chairman to execute any subsequent related contracts and documents upon review of the County Attorney; and also that County staff examine and talk with some of the firms who had refused to bid and determine why those firms did not respond to the bid. Commissioner Hearn seconded the motion. The motion carried 5-0.**

6. Consideration of the 911 Communications staff's recommendation to approve the Amendment to the Frequency Reconfiguration Agreement dated May 17, 2011 between Fayette County and Sprint Nextel Corporation.
7. Approval of Water Committee's recommendation to accept the low bidder, East Electrical Company, for pump station generator connections for two booster pump stations and one raw water pump station in the amount of \$83,400; and authorization for the Chairman to execute any subsequent contracts or agreements following review and approval of the County Attorney.
8. Consideration of Resolution No. 2011-09 which amends local legislation pertaining to Fayette County's authority to establish rules and regulations related to the purchase of goods and services for the County. This action is being taken to expedite the purchase of gas and fuel, which can result in a savings to the County.
9. Consideration of Ordinance No. 2011-04 which amends the Fayette County Code of Ordinances, Chapter 2, Administration Article V Purchases; Sales, which increases the amount of gasoline and fuel the County can purchase without issuing formal bids to \$30,000. This action is being taken to expedite the purchase of fuel, which can result in a savings to the County.
10. Approval of minutes for the Board of Commissioners Budget Meeting held on May 24, 2011, Board of Commissioners Workshop meeting held on June 1, 2011 and Board of Commissioners regular meeting held on June 9, 2011.

**NEW BUSINESS:**

12. Consideration of approval of the minutes for the Board of Commissioners Budget Workshop Meeting held on May 23, 2011. Commissioner Brown was not present for this meeting.

**Commissioner Hearn made a motion to approve the minutes for the Board of Commissioners Budget Workshop meeting held on May 23, 2011. Commissioner Horgan seconded the motion. The motion carried 4-0-1 with Commissioner Brown abstaining from the vote because he was not present for that budget meeting.**

13. Consideration of a request from the Director of Public Safety to allow a change in the position of Fire Administrative Coordinator to Public Safety Budget Analyst.

**Public Safety Director Allen McCullough presented this item for discussion.**

**Commissioner Horgan made a motion to approve the request from the Director of Public Safety to allow a change in the position of Fire Administrative Coordinator to Public Safety Budget Analyst. Commissioner McCarty seconded the motion. The motion carried 4-1 with Commissioner Brown voting in opposition.**

14. Consideration of staff's recommendation to amend the agreement with the Association County Commissioners of Georgia (ACCG) and Blue Cross Blue Shield (BCBS) for inmate medical services effective June 30, 2011; and authorization for the Chairman to execute said agreement pending the County Attorney's approval.

**Chief Financial Officer Mary Holland discussed this item with the Board.**

**Commissioner Brown made a motion to approve staff's recommendation to amend the agreement with the Association of County Commissioners of Georgia (ACCG) and Blue Cross Blue Shield (BCBS) for inmate medical services effective June 30, 2011, and authorize the Chairman to execute said agreement pending the County Attorney's approval. Commissioner Hearn seconded the motion. The motion carried 5-0.**

15. Consideration of the reappointment of Carol Colon to the Fayette County Department of Family and Children Services Board for a five-year term to commence on July 1, 2011 and ending on June 30, 2016.

**Commissioner Horgan made a motion to reappoint Carol Colon to the Fayette County Department of Family and Children Services Board for a five-year term to commence on July 1, 2011 and ending on June 30, 2016. Commissioner McCarty seconded the motion. The motion carried 4-1 with Commissioner Brown voting in opposition to the motion.**

16. Consideration of the reappointment of Angela Hinton Fonda to the Fayette County Department of Family and Children Services Board for a five-year term to commence on July 1, 2011 and ending on June 30, 2016.

**Commissioner Horgan made a motion to reappoint Angela Hinton Fonda to the Fayette County Department of Family and Children Services Board for a five-year term to commence on July 1, 2011 and ending on June 30, 2016. Commissioner McCarty seconded the motion. The motion carried 4-1 with Commissioner Brown voting in opposition to the motion.**

17. Consideration of the reappointment of Allen McCullough and Steve Folden to the Region Four Emergency Medical Services Council for a two-year term to commence on July 1, 2011 and ending on June 30, 2013.

**Commissioner Horgan made a motion to reappoint Allen McCullough and Steve Folden to the Region Four Emergency Medical Services Council for a two-year to commence on July 1, 2011 and ending on June 30, 2013. Commissioner Hearn seconded the motion. The motion carried 4-1 with Commissioner Brown voting in opposition.**

18. Consideration of the reappointment of Pete Nelms to the Fayette County Department of Family and Children Services Board for a five-year term to commence on July 1, 2011 and ending on June 30, 2016.

**Commissioner Horgan made a motion to reappoint Pete Nelms to the Fayette County Department of Family and Children Services Board for a five-year term to commence on July 1, 2011 and ending on June 30, 2016. Commissioner Hearn seconded the motion. The motion carried 4-1 with Commissioner Brown voting in opposition to the motion.**

**ADMINISTRATOR'S REPORTS:**

None.

**COMMISSIONERS REPORTS:**

**Commissioner Brown:** Commissioner Brown said he would like to thank all of the citizens attending tonight's meeting. He said to see a standing room only crowd made his heart feel very good. He said he was getting discouraged about things and to see the citizens show up at meetings and get involved and take time out of their day and voice their opinions, really bolsters his well being. He thanked the citizens for their support and coming to the meetings and standing up for what they believe in.

**Commissioner McCarty:** Commissioner McCarty said he would also like to thank the citizens for coming tonight and he wanted them to encourage their neighbors and friends to attend the meetings as well. He said the Board needs citizen participation. He said if there had been citizen participation in the beginning, there would not be the problems that were occurring today.

**ADJOURNMENT:** Hearing no further business to come before the Board, Commissioner Brown made a motion to adjourn the meeting at 9:12 p.m. Commissioner McCarty seconded the motion. The motion carried 5-0.

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Karen Morley, Chief Deputy Clerk